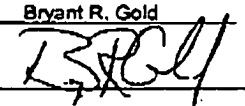


NOV 09 2004

Docket No. AB-034A5U2A

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>Appl. No.:</b> 10/635,768 <b>Conf. No.:</b> 1649  <b>Applicants:</b> Janusz A. Kuzma <b>Filed:</b> August 05, 2003 <b>TC/A.U.:</b> 3742 <b>Examiner:</b> Shawntina T. Fuqua  <b>Title:</b> Method for Inserting Cochlear Electrode and Insertion Tool for Use Therewith  <b>Docket No.:</b> AB-034A5U2A <b>Customer No.:</b> 23845	<b>Certificate of Mailing or Transmission</b>  I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to Commissioner for Patents, PO Box 1450, Alexandria VA 22313-1450, or being facsimile transmitted to the U.S. Patent and Trademark Office, Fax. No. (703) 872-9306, on the date indicated below.  <b>Date:</b> <u>November 9, 2004</u>  <b>Typed Name:</b> <u>Bryant R. Gold</u>  <b>Signature:</b>   <b>Date:</b> <u>11-9-2004</u>
--	---

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Amendment A**

Dear Examiner:

This amendment responds to the Office action mailed August 11, 2004 for the subject application, in which claims 1-6 and 8-13 were rejected, claims 7 and 14 were objected to, and claims 15-16 were allowed.

Applicant has herein amended Claim 8 to include the subject matter of Claim 14 and all intervening claims. Concurrent with this amendment, Applicant has canceled Claims 1-7, 9, 13 and 14. Six (6) claims remain pending in the application: Claims 8, 10, 11, 12, 15 and 16, of which Claims 8 and 15 are independent.

**Amendments to the Specification** are reflected on page 2 of this paper

**Amendments to the claims** are reflected in the listing of claims which begin on page 3 of this paper.

**Remarks** begin on page 6 of this paper.

Application No. 10/635,768  
Amendment A dated November 9, 2004  
Reply to Office Action dated August 11, 2004

Page 1 of 6